NEW YORK STATE DEPARTMENT OF ENVIRONMENTAL CONSERVATION

State Pollutant Discharge Elimination System (SPDES)
DISCHARGE PERMIT

First3.99

Industrial Code:	**4952**	SPDES Number:	**NY0104809**
Discharge Class (CL):	**05**	DEC Number:	**1-4720-00355/00008**
Toxic Class (TX):	**T**	Effective Date (EDP):	**1/01/2010**
Major Drainage Basin:	**17**	Expiration Date (ExDP):	**12/31/2014**
Sub Drainage Basin:	**01**	Modification Dates:(EDPM)	**08/01/2011**
Water Index Number:	**AO**		
Compact Area:			

This SPDES permit is issued in compliance with Title 8 of Article 17 of the Environmental Conservation Law of New York State and in compliance with the Clean Water Act, as amended, (33 U.S.C. §1251 et.seq.)(hereinafter referred to as "the Act").

PERMITTEE NAME AND ADDRESS

Name: **Suffolk County** Attention: **Robert Falk, Permit Administrator**
Street: **H. Lee Dennison Building**
City: **Hauppauge** State: **NY** Zip Code: **11788**
is authorized to discharge from the facility described below:

FACILITY NAME AND ADDRESS

Name: **Suffolk County Sewer District No. 3 – Southwest (aka Bergen Point)**
Location (C,T,V): **West Babylon (T)** County: **Suffolk**
Facility Address: **600 Bergen Avenue**
City: **West Babylon** State: **NY** Zip Code: **11704**
NYTM -E: NYTM - N:
From Outfall No.: **001** at Latitude: **40 ° 35 ' 28 ''** & Longitude : **73 ° 21 ' 06 ''**
into receiving waters known as: **Atlantic Ocean** Class: **SA**
and; (list other Outfalls, Receiving Waters & Water Classifications) **None**

in accordance with: effluent limitations; monitoring and reporting requirements; other provisions and conditions set forth this permit; and 6 NYCRR Part 750-1.2(a) and 750-2.

DISCHARGE MONITORING REPORT (DMR) MAILING ADDRESS

Mailing Name: **Suffolk County Sewer District No. 3 – Southwest (aka Bergen Point)**
Street: **600 Bergen Avenue**
City: **West Babylon** State: **NY** Zip Code: **11704**
Responsible Official or Agent: **David Krol** Phone: **(631) 852-4204**

This permit and the authorization to discharge shall expire on midnight of the expiration date shown above and the permittee shall not discharge after the expiration date unless this permit has been renewed, or extended pursuant to law. To be authorized to discharge beyond the expiration date, the permittee shall apply for permit renewal not less than 180 days prior to the expiration date shown above.

DISTRIBUTION:

CO BWP - Permit Coordinator
RWE/RPA
EPA Region II - Michelle Josilo
NYSEFC
Suffolk County Department of Health
Brain Baker – Section Chief, BWP
IEC

Deputy Chief Permit Administrator: Stuart M. Fox

Address: Division of Environmental Permit
625 Broadway
Albany, NY 12233-1750

Signature: Stuart M. Fox Date: 6 / 17 / 11

PERMIT LIMITS, LEVELS AND MONITORING DEFINITIONS

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OUTFALL	WASTEWATER TYPE	RECEIVING WATER	EFFECTIVE	EXPIRING
	This cell describes the type of wastewater authorized for discharge. Examples include process or sanitary wastewater, storm water, non-contact cooling water.	This cell lists classified waters of the state to which the listed outfall discharges.	The date this page starts in effect. (e.g. EDP or EDPM)	The date this page is no longer in effect. (e.g. ExDP)

PARAMETER	MINIMUM	MAXIMUM	UNITS	SAMPLE FREQ.	SAMPLE TYPE
e.g. pH, TRC, Temperature, D.O.	The minimum level that must be maintained at all instants in time.	The maximum level that may not be exceeded at any instant in time.	SU, °F, mg/l, etc.		

PARA-METER	EFFLUENT LIMIT	PRACTICAL QUANTITATION LIMIT (ML)	ACTION LEVEL	UNITS	SAMPLE FREQUENCY	SAMPLE TYPE
	Limit types are defined below in Note 1. The effluent limit is developed based on the more stringent of technology-based standards, required under the Clean Water Act, or New York State water quality standards. The limit has been derived based on existing assumptions and rules. These assumptions include receiving water hardness, pH and temperature; rates of this and other discharges to the receiving stream; etc. If assumptions or rules change the limit may, after due process and modification of this permit, change.	For the purposes of compliance assessment, the analytical method specified in the permit shall be used to monitor the amount of the pollutant in the outfall to this level, provided that the laboratory analyst has complied with the specified quality assurance/quality control procedures in the relevant method. Monitoring results that are lower than this level must be reported, but shall not be used to determine compliance with the calculated limit. This ML can be neither lowered nor raised without a modification of this permit.	Action Levels are monitoring requirements, as defined below in Note 2, that trigger additional monitoring and permit review when exceeded.	This can include units of flow, pH, mass, Temperature, concentration. Examples include µg/l, lbs/d, etc.	Examples include Daily, 3/week, weekly, 2/month, monthly, quarterly, 2/yr and yearly.	Examples include grab, 24 hour composite and 3 grab samples collected over a 6 hour period.

Note 1: DAILY DISCHARGE: The discharge of a pollutant measured during a calendar day or any 24-hour period that reasonably represents the calendar day for the purposes of sampling. For pollutants expressed in units of mass, the 'daily discharge' is calculated as the total mass of the pollutant discharged over the day. For pollutants with limitations expressed in other units of measurement, the 'daily discharge' is calculated as the average measurement of the pollutant over the day. DAILY MAX: The highest allowable daily discharge. DAILY MIN: The lowest allowable daily discharge. MONTHLY AVG (daily avg): The highest allowable average of daily discharges over a calendar month, calculated as the sum of each of the daily discharges measured during a calendar month divided by the number of daily discharges measured during that month. RANGE: The minimum and maximum instantaneous measurements for the reporting period must remain between the two values shown. 7 DAY ARITHMETIC MEAN (7 day average): The highest allowable average of daily discharges over a calendar week. 12 MRA (twelve month rolling avg): The average of the most recent twelve month's monthly averages. 30 DAY GEOMETRIC MEAN (30 d geo mean): The highest allowable geometric mean of daily discharges over a calendar month, calculated as the antilog of : the sum of the log of each of the daily discharges measured during a calendar month divided by the number of daily discharges measured during that month. 7 DAY GEOMETRIC MEAN (7 d geo mean): The highest allowable geometric mean of daily discharges over a calendar week.

Note 2: ACTION LEVELS: Routine Action Level monitoring results, if not provided for on the Discharge Monitoring Report (DMR) form, shall be appended to the DMR for the period during which the sampling was conducted. If the additional monitoring requirement is triggered as noted below, the permittee shall undertake a short-term, high-intensity monitoring program for the parameter(s). Samples identical to those required for routine monitoring purposes shall be taken on each of at least three consecutive operating and discharging days and analyzed. Results shall be expressed in terms of both concentration and mass, and shall be submitted no later than the end of the third month following the month when the additional monitoring requirement was triggered. Results may be appended to the DMR or transmitted under separate cover to the same address. If levels higher than the Action Levels are confirmed, the permit may be reopened by the Department for consideration of revised Action Levels or effluent limits. The permittee is not authorized to discharge any of the listed parameters at levels which may cause or contribute to a violation of water quality standards. The additional monitoring requirement is triggered upon receipt by the permittee of any monitoring results in excess of the stated Action Level.

PERMIT LIMITS, LEVELS AND MONITORING:

OUTFALL No.	LIMITATIONS APPLY:	RECEIVING WATER	EFFECTIVE	EXPIRING
001	[X] All Year Unless otherwise noted	Atlantic Ocean	08/01/2011	See Footnote 7

PARAMETER	EFFLUENT LIMIT					MONITORING REQUIREMENTS				FN
								Location		
	Type	Limit	Units	Limit	Units	Sample Frequency	Sample Type	Inf.	Eff.	
Flow	Monthly Average	30.5	MGD			Continuous	Recorder	X		
$CBOD_5$	Monthly average	25	mg/l	6,400	lbs/d	1/day	24 hr Comp.	X	X	(1)
$CBOD_5$	7 day average	40	mg/l	10,000	lbs/d	1/day	24 hr Comp.		X	
BOD_5	6 cons. hr. sample mean	50	mg/l				Grab		X	(2)
Solids, Suspended	Monthly average	30	mg/l	7,600	lbs/d	1/day	24 hr Comp.	X	X	(1)
Solids, Suspended	7 day average	45	mg/l	11,000	lbs/d	1/day	24 hr Comp.		X	
Solids, Suspended	6 cons. hr. sample mean	50	mg/l				Grab		X	(2)
Solids, Settleable	Daily Max.	0.3	ml/l			6/day	Grab		X	
pH	Range	6.0 - 9.0	SU			6/day	Grab		X	
Ammonia (as NH_3-N) May 1 – Oct 31	Daily Maximum	14.6	mg/l			1/day	24 hr Comp.	X	X	(12)
Ammonia (as NH_3-N) Nov 1 – April 30	Daily Maximum	Monitor	mg/l			1/month	24 hr Comp.	X	X	
Nitrogen, TKN (as N)	Daily Max.	Monitor	mg/l			1/month	24 hr Comp.	X	X	
Nitrate, (as N)	Daily Max.	Monitor	mg/l			1/month	24 hr Comp.	X	X	
Nitrite, (as N)	Daily Max.	Monitor	mg/l			1/month	24 hr Comp.	X	X	
Temperature	Daily Maximum	Monitor	Deg C			6/day	Grab		X	
Effluent Disinfection required: [X] All Year										
Coliform, Fecal	30 day geometric mean	200	No./100 ml			1/day	Grab		X	(3,4)
Coliform, Fecal	7 day geometric mean	400	No./100 ml			1/day	Grab		X	(3,4)
Chlorine, Total Residual	Daily Max.	3.0	mg/l			6/day	Grab		X	(6)
Coliform, Total	Monthly median	700	No./100 ml			1/day	Grab		X	(3,4)
Coliform, Fecal	6 hr. geometric mean	800	No./100 ml				Grab		X	(2)
Coliform, Fecal	Individual sample	2400	No./100 ml				Grab		X	(2)

FOOTNOTES: See pages 8, 9, and 10.

Permit Limits, Levels and Monitoring:

OUTFALL No.	WASTEWATER TYPE	RECEIVING WATER	EFFECTIVE	EXPIRING
001	Municipal	Atlantic Ocean	08/01/2011	See Footnote 7

PARAMETER	COMPLIANCE LIMIT		MONITORING ACTION LEVEL		UNITS	SAMPLE FREQUENCY	SAMPLE TYPE	FN
	Monthly Avg.	Daily Max.	TYPE I	TYPE II				
Mercury, Total		200			ng/L	1/quarter	Grab	(5)
Copper, Total			13		lbs/day	1/month	24 hr. Comp.	
Arsenic, Total			12		lbs/day	1/month	24 hr. Comp.	
Thallium, Total			6.3		lbs/day	1/month	24 hr. Comp.	
Zinc, Total			23		lbs/day	1/month	24 hr. Comp.	
Methylene Chloride			5.5		lbs/day	1/month	24 hr. Comp.	
Tetrachloroethylene			0.4		lbs/day	1/month	24 hr. Comp.	
Bis (2-ethylhexyl) Phthalate			1.7		lbs/day	1/month	24 hr. Comp.	
Chloroform			1.4		lbs/day	1/month	24 hr. Comp.	
Toluene			0.4		lbs/day	1/month	24 hr. Comp.	
Phenolics, Total			7.2		lbs/day	1/month	24 hr. Comp.	
WET - Acute Invertebrate			3.6		TUa	Quarterly	see footnote	(11)
WET - Acute Vertebrate			3.6		TUa	Quarterly	see footnote	(11)
WET - Chronic Invertebrate			25		TUc	Quarterly	see footnote	(11)
WET - Chronic Vertebrate			25		TUc	Quarterly	see footnote	(11)

FOOTNOTES: See pages 8, 9, and 10

PERMIT LIMITS, LEVELS AND MONITORING:

OUTFALL No.	LIMITATIONS APPLY:	RECEIVING WATER	EFFECTIVE	EXPIRING
001	[X] All Year [ ] Seasonal from _____ to	Atlantic Ocean	See Footnote 8	See Footnote 9

PARAMETER	EFFLUENT LIMIT					MONITORING REQUIREMENTS				FN
								Location		
	Type	Limit	Units	Limit	Units	Sample Frequency	Sample Type	Inf.	Eff.	
Flow	Monthly Average	38.5	MGD			Continuous	Recorder	X		
$CBOD_5$	Monthly average	25	mg/l	8,075	lbs/d	1/day	24 hr Comp.	X	X	(1)
$CBOD_5$	7 day average	40	mg/l	12,620	lbs/d	1/day	24 hr Comp.		X	
BOD_5	6 cons. hr. sample mean	50	mg/l				Grab		X	(2)
Solids, Suspended	Monthly average	30	mg/l	9,590	lbs/d	1/day	24 hr Comp.	X	X	(1)
Solids, Suspended	7 day average	45	mg/l	13,880	lbs/d	1/day	24 hr Comp.		X	
Solids, Suspended	6 cons. hr. sample mean	50	mg/l				Grab		X	(2)
Solids, Settleable	Daily Max.	0.3	ml/l			6/day	Grab		X	
pH	Range	6.0 - 9.0	SU			6/day	Grab		X	
Ammonia (as NH_3) May 1 – Oct 31	Monthly Average	16.43	mg/l			1/day	24 hr Comp.	X	X	(12)
Ammonia (as NH_3) Nov 1 – April 30	Monthly Average	48.50	mg/l			1/day	24 hr Comp.	X	X	
Nitrogen, TKN (as N)	Daily Max.	Monitor	mg/l			1/month	24 hr Comp.	X	X	
Nitrate, (as N)	Daily Max.	Monitor	mg/l			1/month	24 hr Comp.	X	X	
Nitrite, (as N)	Daily Max.	Monitor	mg/l			1/month	24 hr Comp.	X	X	
Temperature	Daily Maximum	Monitor	Deg C			6/day	Grab		X	
Effluent Disinfection required: [X] All Year [ ] Seasonal from _____ to										
Coliform, Fecal	30 day geometric mean	200	No./100 ml			1/day	Grab		X	(3,4)
Coliform, Fecal	7 day geometric mean	400	No./100 ml			1/day	Grab		X	(3,4)
Chlorine, Total Residual	Daily Maximum	3.00	mg/l			6/day	Grab		X	(6)
Coliform, Total	Monthly median	700	No./100 ml			1/day	Grab		X	(3,4)
Coliform, Fecal	6 hr. geometric mean	800	No./100 ml				Grab		X	(2)
Coliform, Fecal	Individual sample	2400	No./100 ml				Grab		X	(2)

FOOTNOTES: See on the pages 8, 9, and 10

PERMIT LIMITS, LEVELS AND MONITORING:

OUTFALL No.	WASTEWATER TYPE	RECEIVING WATER	EFFECTIVE	EXPIRING
001	Municipal	Atlantic Ocean	See Footnote 8	See Footnote 9

PARAMETER	COMPLIANCE LIMIT		MONITORING ACTION LEVEL	UNITS	SAMPLE FREQUENCY	SAMPLE TYPE	FN
	Monthly Avg.	Daily Max.					
Mercury, Total		200		ng/L	1/quarter	Grab	(5)
Copper, Total			16	lbs/day	1/month	24 hr. Comp.	
Arsenic, Total			15	lbs/day	1/month	24 hr. Comp.	
Thallium, Total			7.98	lbs/day	1/month	24 hr. Comp.	
Zinc, Total			29	lbs/day	1/month	24 hr. Comp.	
Methylene Chloride			6.94	lbs/day	1/month	24 hr. Comp.	
Tetrachloroethylene			0.50	lbs/day	1/month	24 hr. Comp.	
Bis (2-ethylhexyl) Phthalate			2.1	lbs/day	1/month	24 hr. Comp.	
Chloroform			1.76	lbs/day	1/month	24 hr. Comp.	
Toluene			0.50	lbs/day	1/month	24 hr. Comp.	
Phenolics, Total			9.0	lbs/day	1/month	24 hr. Comp.	
WET - Acute Invertebrate			3.6	TUa	Quarterly	see footnote	(11)
WET - Acute Vertebrate			3.6	TUa	Quarterly	see footnote	(11)
WET - Chronic Invertebrate			25	TUc	Quarterly	see footnote	(11)
WET - Chronic Vertebrate			25	TUc	Quarterly	see footnote	(11)

FOOTNOTES: See on the pages 8, 9, and 10

PERMIT LIMITS, LEVELS AND MONITORING:

OUTFALL No.	LIMITATIONS APPLY:	RECEIVING WATER	EFFECTIVE	EXPIRING
001	[X] All Year [ ] Seasonal from _____ to	Atlantic Ocean	See Footnote 10	12/31/2014

PARAMETER	EFFLUENT LIMIT					MONITORING REQUIREMENTS				FN
								Location		
	Type	Limit	Units	Limit	Units	Sample Frequency	Sample Type	Inf.	Eff.	
Flow	Monthly Average	40.5	MGD			Continuous	Recorder	X		
$CBOD_5$	Monthly average	25	mg/l	8500	lbs/d	1/day	24 hr Comp.	X	X	(1)
$CBOD_5$	7 day average	40	mg/l	13,500	lbs/d	1/day	24 hr Comp.		X	
BOD_5	6 cons. hr. sample mean	50	mg/l				Grab		X	(2)
Solids, Suspended	Monthly average	30	mg/l	10,350	lbs/d	1/day	24 hr Comp.	X	X	(1)
Solids, Suspended	7 day average	45	mg/l	15,200	lbs/d	1/day	24 hr Comp.		X	
Solids, Suspended	6 cons. hr. sample mean	50	mg/l				Grab		X	(2)
Solids, Settleable	Daily Max.	0.3	ml/l			6/day	Grab		X	
pH	Range	6.0 - 9.0	SU			6/day	Grab		X	
Ammonia (as NH_3) May 1 – Oct 31	Monthly Average	16.43	mg/l			1/day	24 hr Comp.	X	X	(12)
Ammonia (as NH_3) Nov 1 – April 30	Monthly Average	48.50	mg/l			1/day	24 hr Comp.	X	X	
Nitrogen, TKN (as N)	Daily Max.	Monitor	mg/l			1/month	24 hr Comp.	X	X	
Nitrate, (as N)	Daily Max.	Monitor	mg/l			1/month	24 hr Comp.	X	X	
Nitrite, (as N)	Daily Max.	Monitor	mg/l			1/month	24 hr Comp.	X	X	
Temperature	Daily Maximum	Monitor	Deg C			6/day	Grab		X	
Effluent Disinfection required: [X] All Year [ ] Seasonal from _____ to										
Coliform, Fecal	30 day geometric mean	200	No./100 ml			1/day	Grab		X	(3,4)
Coliform, Fecal	7 day geometric mean	400	No./100 ml			1/day	Grab		X	(3,4)
Chlorine, Total Residual	Daily Maximum	3.00	mg/l			6/day	Grab		X	(6)
Coliform, Total	Monthly median	700	No./100 ml			1/day	Grab		X	(3,4)
Coliform, Fecal	6 hr. geometric mean	800	No./100 ml				Grab		X	(2)
Coliform, Fecal	Individual sample	2400	No./100 ml				Grab		X	(2)

FOOTNOTES: See on the pages 8, 9, and 10

PERMIT LIMITS, LEVELS AND MONITORING:

OUTFALL No.	WASTEWATER TYPE	RECEIVING WATER	EFFECTIVE	EXPIRING
001	Municipal	Atlantic Ocean	See Footnote 10	12/31/2014

PARAMETER	COMPLIANCE LIMIT		MONITORING ACTION LEVEL	UNITS	SAMPLE FREQUENCY	SAMPLE TYPE	FN
	Monthly Avg.	Daily Max.	TYPE I				
Mercury, Total		200		ng/L	1/quarter	Grab	(6)
Copper, Total			17	lbs/day	1/month	24 hr. Comp.	
Arsenic, Total			16	lbs/day	1/month	24 hr. Comp.	
Thallium, Total			8.4	lbs/day	1/month	24 hr. Comp.	
Zinc, Total			30	lbs/day	1/month	24 hr. Comp.	
Methylene Chloride			7.3	lbs/day	1/month	24 hr. Comp.	
Tetrachloroethylene			0.53	lbs/day	1/month	24 hr. Comp.	
Bis (2-ethylhexyl) Phthalate			2.25	lbs/day	1/month	24 hr. Comp.	
Chloroform			1.85	lbs/day	1/month	24 hr. Comp.	
Toluene			0.53	lbs/day	1/month	24 hr. Comp.	
Phenolics, Total			9.5	lbs/day	1/month	24 hr. Comp.	
WET - Acute Invertebrate			3.6	TUa	Quarterly	see footnote	(11)
WET - Acute Vertebrate			3.6	TUa	Quarterly	see footnote	(11)
WET - Chronic Invertebrate			25	TUc	Quarterly	see footnote	(11)
WET - Chronic Vertebrate			25	TUc	Quarterly	see footnote	(11)

FOOTNOTES: See on the pages 8, 9, and 10

FOOTNOTES:

(1) Effluent shall not exceed 15 % and 15 % of influent concentration values for $CBOD_5$ & TSS respectively.

(2) This is an Interstate Environmental Commission (IEC) requirement. The permittee is not required to perform this sampling but shall be required to meet the permit limit at all times. EPA, DEC or IEC may perform the sampling.

(3) Additional Coliform Limitations and Requirements:

(a) The multiple tube fermentation procedure (MPN) is the only approved fecal and total coliform testing procedure.

FOOTNOTES – Continued:

(b) Facilities may regularly sample on a more frequent schedule than the minimum required by this permit.
(c) For facilities sampling less than ten (10) times per month, the estimated 90th percentile of total coliform readings shall not exceed an MPN of 3,300/100 ml for the 3 tube per decimal dilution MPN test, nor an MPN of 2,300/100 for the 5 tube per decimal dilution MPN test. The estimated 90th percentile is calculated using the Guideline in the National Shellfish Sanitation Program Manual of Operations, 1989 revision, Page APF-3.
(d) For facilities sampling ten (10) or more times per month , no more than 10 percent of the total coliform readings shall exceed an MPN of 3,300/ 100 ml for the 3 tube per decimal dilution MPN test, nor an MPN of 2,300/100 ml for the 5 tube per decimal dilution MPN test.

(4) Grab samples shall be taken during periods which include normally high effluent flows.

(5) Mercury analysis is to be performed by EPA method 1631 and limit units are in nanograms/liter.

Permittee may use EPA method 245.7 for mercury analysis. If the Permittee decides to use EPA method 245.7, duplicates samples shall be collected each monitoring event. One sample shall be analyzed by using EPA method 245.7. In case the EPA method 245.7 does not detect any mercury in the effluent wastewater, the duplicate sample must be analyzed by EPA method 1631.

(6) The limit of 3.0 mg/l for TRC is an interim limit. This interim limit will expire in the permit upon startup of the UV disinfection system. And upon startup of the UV system, the Water Quality Based Effluent Limit (WQBEL) of 0.40 mg/l for TRC will become effective in the permit.

In addition, TRC limit is applicable to the permit when chlorine is used for disinfection. If chlorine is not used at all during a reporting period, the permittee will note NODI 9 on the DMR.

(7) The limits on this page shall expire upon startup of the 38.5 MGD facility. The startup date for the 38.5 MGD facility will be identified in a letter from the permittee to the offices listed on the Monitoring, Reporting and Recording page of this permit and to the Chief, Bureau of Water Permits, West Section, 625 Broadway, Albany, NY 12233-3505. Startup shall commence only after receipt of certification from a PE, licensed in NYS, that the treatment plant was constructed in accordance with DEC or EFC approved reports, plans and specifications.

(8) The limits on this page shall become effective upon startup of the 38.5 MGD facility.

(9) The limits on this page shall expire upon startup of the 40.5 mgd facility. The startup dates for the 40.5 mgd will be identified in letters from the permittee to the offices listed on the Monitoring, Reporting and Recording page of this permit and to the Chief, Bureau of Water Permits, West Section, 625 Broadway, Albany, NY 12233-3505. Startup shall commence only after receipt of certification from a PE, licensed in NYS, that the treatment plant was constructed in accordance with DEC or EFC approved reports, plans and specifications.

(10) The limits on this page shall become effective upon startup of the 40.5 MGD facility.

(11) **Whole Effluent Toxicity (WET) Testing:**
Testing Requirements - WET testing shall consist of Chronic only**.** WET testing shall be performed in accordance with 40 CFR Part 136 and TOGS 1.3.2 unless prior written approval has been obtained from the Department. The test species shall be *Mysidopsis bahia* (mysid shrimp - invertebrate) and *Cyprinodon*

FOOTNOTES – Continued:

variegatus (sheepshead minnow - vertebrate). Artificial salt water should be used for dilution. All tests conducted should be static-renewal (two 24 hr composite samples with one renewal for Acute tests and three 24 hr composite samples with two renewals for Chronic tests). The appropriate dilution series bracketing the IWC and including one exposure group of 100% effluent should be used to generate a definitive test endpoint, otherwise an immediate rerun of the test is required. WET testing shall be coordinated with the monitoring of chemical and physical parameters limited by this permit so that the resulting analyses are also representative of the sample used for WET testing. The ratio of critical receiving water flow to discharge flow (i.e. dilution ratio) is 12:1 for acute, and 25:1 for chronic. Discharges which are disinfected using chlorine should be dechlorinated prior to WET testing or samples shall be taken immediately prior to the chlorination system.

Monitoring Period - WET testing shall be performed at the specified sample frequency during calendar years ending in 4 and 9 , beginning in January and lasting for a period of one full year.
Reporting - Toxicity Units shall be calculated and reported on the DMR as follows: TUa = (100)/(48 hr LC50) or (100)/(48 hr EC50) (note that Acute data is generated by both Acute and Chronic testing) and TUc = (100)/(NOEC) when Chronic testing has been performed or TUc = (TUa) x (20) when only Acute testing has been performed and is used to predict Chronic test results, where the 48 hr LC50 or 48 hr EC50 and NOEC are expressed in % effluent. This must be done for both species and using the Most Sensitive Endpoint (MSE) or the lowest NOEC and corresponding highest TUc. Report a TUa of 0.3 if there is no statistically significant toxicity in 100% effluent as compared to control.

The complete test report including all corresponding results, statistical analyses, reference toxicity data, daily average flow at the time of sampling and other appropriate supporting documentation, shall be submitted within 60 days following the end of each test period to the Toxicity Testing Unit. A summary page of the test results for the invertebrate and vertebrate species indicating TUa, 48 hr LC50 or 48 hr EC50 for Acute tests and/or TUc, NOEC, IC25, and most sensitive endpoints for Chronic tests, should also be included at the beginning of the test report.

WET Testing Action Level and Limit Exceedances - If an action level or limit is exceeded then the Department may require the permittee to conduct additional WET testing including Acute and/or Chronic tests. Additionally, the permittee may be required to perform a Toxicity Reduction Evaluation (TRE) in accordance with Department guidance. If such additional testing or performance of a TRE is necessary, the permittee shall be notified in writing by the Regional Water Engineer. The written notification shall include the reason(s) why such testing or a TRE is required. Additionally, if a permit limit is exceeded the permittee is in noncompliance.

(12) Influent ammonia shall be monitored once per month.

SPECIAL CONDITIONS

No sewer extensions (outside the approved district) without prior DEC approval. Any proposed connections, not identified and qualified in an approved facility engineering report, will require necessary on-line capacity and separate DEC approval.

SCHEDULE OF COMPLIANCE

a) Total Residual Chlorine

Action Code	Outfall Number(s)	Compliance Action	Due Date
	001	The Permittee shall commence construction of the facilities described in the approved report titled "Southwest Sewer District No. 3, Bergen Point wastewater Treatment Plant, Effluent Ultraviolet Disinfection" dated July 2010.	Before July 1st, 2012
		The Permittee shall submit progress reports detailing the work done in accordance with the approved engineering report and schedule of construction.	Every 3 months from the commencement date
		The permittee shall complete all construction works for the UV disinfection facilities as per approved plans and specifications. And the permittee shall start its operation.	Commencement of construction + 24 months

The above compliance actions are one time requirements. The permittee shall comply with the above compliance actions to the Department's satisfaction once. When this permit is administratively renewed by NYSDEC letter entitled "SPDES NOTICE/RENEWAL APPLICATION/PERMIT", the permittee is not required to repeat the submission. The above due dates are independent from the effective date of the permit stated in the letter of "SPDES NOTICE/RENEWAL APPLICATION/PERMIT."

b) The permittee shall submit a written notice of compliance or non-compliance with each of the above schedule dates no later than 14 days following each elapsed date, unless conditions require more immediate notice as prescribed in 6 NYCRR Part 750-1.2(a) and 750-2. All such compliance or non-compliance notification shall be sent to the locations listed under the section of this permit entitled RECORDING, REPORTING AND ADDITIONAL MONITORING REQUIREMENTS. Each notice of non-compliance shall include the following information:

1. A short description of the non-compliance;
2. A description of any actions taken or proposed by the permittee to comply with the elapsed schedule requirements without further delay and to limit environmental impact associated with the non-compliance;
3. A description or any factors which tend to explain or mitigate the non-compliance; and
4. An estimate of the date the permittee will comply with the elapsed schedule requirement and an assessment of the probability that the permittee will meet the next scheduled requirement on time.

c) The permittee shall submit copies of any document required by the above schedule of compliance to NYSDEC Regional Water Engineer at the location listed under the section of this permit entitled RECORDING, REPORTING AND ADDITIONAL MONITORING REQUIREMENTS **and to the Bureau of Water Permits, 625 Broadway, Albany, N.Y. 12233-3505**, unless otherwise specified in this permit or in writing by the Department.

PRETREATMENT PROGRAM IMPLEMENTATION REQUIREMENTS

A. DEFINITIONS. Generally, terms used in this Section shall be defined as in the General Pretreatment Regulations (40 CFR Part 403). Specifically, the following definitions apply to terms used in this Section (PRETREATMENT PROGRAM IMPLEMENTATION REQUIREMENTS):

1. Categorical Industrial User (CIU)- an industrial user of the POTW that is subject to Categorical Pretreatment Standards under 40 CFR 403.6 and 40 CFR Chapter I, Subchapter N;

2. Local Limits - General Prohibitions, specific prohibitions and specific limits as set forth in 40 CFR 403.5.

3. The Publicly Owned Treatment Works (the POTW) - as defined by 40 CFR 403.3(o) and that discharges in accordance with this permit.

4. Program Submission(s) - requests for approval or modification of the POTW Pretreatment Program submitted in accordance with 40 CFR 403.11 or 403.18 and approved by letter dated September 1985.

5. Significant Industrial User (SIU) -

   a. CIUs;

   b. Except as provided in 40 CFR 403.3(t)(2), any other industrial user that discharges an average of 25,000 gallons per day or more of process wastewater (excluding sanitary, non-contact cooling and boiler blowdown wastewater) to the POTW;

   c. Except as provided in 40 CFR 403.3(t)(2), any other industrial user that contributes a process wastestream which makes up 5 percent or more of the average dry weather hydraulic or organic capacity of the POTW treatment plant;

   d. Any other industrial user that the permittee designates as having a reasonable potential for adversely affecting the POTW's operation or for violating a pretreatment standard or requirement.

6. Substances of Concern - Substances identified by the New York State Department of Environmental Conservations Industrial Chemical Survey as substances of concern.

B. IMPLEMENTATION. The permittee shall implement a POTW Pretreatment Program in accordance 40 CFR Part 403 and as set forth in the permittee's approved Program Submission(s). Modifications to this program shall be made in accordance with 40 CFR 403.18. Specific program requirements are as follows:

1. Industrial Survey. To maintain an updated inventory of industrial dischargers to the POTW the permittee shall:

   a. Identify, locate and list all industrial users who might be subject to the industrial pretreatment program from the pretreatment program submission and any other necessary, appropriate and available sources. This identification and location list will be updated, at a minimum, every five years. As part of this update the permittee shall collect a current and complete New York State Industrial Chemical Survey form (or equivalent) from each SIU.

   b. Identify the character and volume of pollutants contributed to the POTW by each industrial user identified in B.1.a above that is classified as a SIU.

   c. Identify, locate and list, from the pretreatment program submission and any other necessary, appropriate and available sources, all significant industrial users of the POTW.

2. Control Mechanisms. To provide adequate notice to and control of industrial users of the POTW the permittee shall:

PRETREATMENT PROGRAM IMPLEMENTATION REQUIREMENTS-Continued

a. Inform by certified letter, hand delivery courier, overnight mail, or other means which will provide written acknowledgment of delivery, all industrial users identified in B.1.a. above of applicable pretreatment standards and requirements including the requirement to comply with the local sewer use law, regulation or ordinance and any applicable requirements under section 204(b) and 405 of the Federal Clean Water Act and Subtitles C and D of the Resource Conservation and Recovery Act.

b. Control through permit or similar means the contribution to the POTW by each SIU to ensure compliance with applicable pretreatment standards and requirements. Permits shall contain limitations, sampling frequency and type, reporting and self-monitoring requirements as described below, requirements that limitations and conditions be complied with by established deadlines, an expiration date not later than five years from the date of permit issuance, a statement of applicable civil and criminal penalties and the requirement to comply with Local Limits and any other requirements in accordance with 40 CFR 403.8(f)(1).

3. Monitoring and Inspection. To provide adequate, ongoing characterization of non-domestic users of the POTW, the permittee shall:

a. Receive and analyze self-monitoring reports and other notices. The permittee shall require all SIUs to submit self-monitoring reports at least every six months unless the permittee collects all such information required for the report, including flow data.

b. The permittee shall adequately inspect each SIU at a minimum frequency of once per year.

c. The permittee shall collect and analyze samples from each SIU for all priority pollutants that can reasonably be expected to be detectable at levels greater than the levels found in domestic sewage at a minimum frequency of once per year.

d. Require, through permits, each SIU to collect at least one 24 hour, flow proportioned composite (where feasible) effluent sample every six months and analyze each of those samples for all priority pollutants that can reasonably be expected to be detectable in that discharge at levels greater than the levels found in domestic sewage. The permittee may perform the aforementioned monitoring in lieu of the SIU except that the permittee must also perform the compliance monitoring described in 3.c.

4. Enforcement. To assure adequate, equitable enforcement of the industrial pretreatment program the permittee shall:

a. Investigate instances of noncompliance with pretreatment standards and requirements, as indicated in self-monitoring reports and notices or indicated by analysis, inspection and surveillance activities. Sample taking and analysis and the collection of other information shall be performed with sufficient care to produce evidence admissible in enforcement proceedings or in judicial actions. Enforcement activities shall be conducted in accordance with the permittee's Enforcement Response Plan developed and approved in accordance with 40 CFR Part 403.

b. Enforce compliance with all national pretreatment standards and requirements in 40 CFR Parts 406 - 471.

c. Provide public notification of significant non-compliance as required by 40 CFR 403.8(f)(2)(vii).

d. Pursuant to 40 CFR 403.5(e), when either the Department or the USEPA determines any source contributes pollutants to the POTW in violation of Pretreatment Standards or Requirements the Department or the USEPA shall notify the permittee. Failure by the permittee to commence an appropriate investigation an subsequent enforcement action within 30 days of this notification may result in appropriate enforcement action against the source and permittee.

5. Record keeping. The permittee shall maintain and update, as necessary, records identifying the nature, character, and volume of pollutants contributed by SIUs. Records shall be maintained in accordance with 6 NYCRR Part 750-2.5(c).
6. Staffing. The permittee shall maintain minimum staffing positions committed to implementation of the Industrial Pretreatment Program in accordance with the approved pretreatment program.

C. SLUDGE DISPOSAL PLAN. The permittee shall notify NYSDEC, and USEPA as long as USEPA remains the approval authority, 60 days prior to any major proposed change in the sludge disposal plan. NYSDEC may require additional pretreatment measures or controls to prevent or abate an interference incident relating to sludge use or disposal.

D. REPORTING. The permittee shall provide to the offices listed on the Monitoring, Reporting and Recording page of this permit and to the Chief-Water Compliance Branch; USEPA Region II; 290 Broadway; New York, NY 10007; a periodic report that briefly describes the permittee's program activities over the previous year. This report shall be submitted to the above noted offices within 28 days of the end of the reporting period. The reporting period shall be TWICE PER YEAR, with reporting period(s) ending on June 30th & December 31st.

The periodic report shall include:

1. Industrial Survey. Updated industrial survey information in accordance with 40 CFR 403.12(I)(1) (including any NYS Industrial Chemical Survey forms updated during the reporting period).

2. Implementation Status. Status of Program Implementation, to include:

   a. Any interference, upset or permit violations experienced at the POTW directly attributable to industrial users.

   b. Listing of significant industrial users issued permits.

   c. Listing of significant industrial users inspected and/or monitored during the previous reporting period and summary of results.

   d. Listing of significant industrial users notified of promulgated pretreatment standards or applicable local standards who are on compliance schedules. The listing should include for each facility the final date of compliance.

   e. Summary of POTW monitoring results not already submitted on Discharge Monitoring Reports and toxic loadings from SIU's organized by parameter.

   f. A summary of additions or deletions to the list of SIUs, with a brief explanation for each deletion.

3. Enforcement Status. Status of enforcement activities to include:

   a. Listing of significant industrial users in Significant Non-Compliance (as defined by 40 CFR 403.8(f)(2)(vii)) with federal or local pretreatment standards at end of the reporting period.

   b. Summary of enforcement activities taken against non-complying significant industrial users. The permittee shall provide a copy of the public notice of significant violators as specified in 40 CFR Part 403.8(f)(2)(vii).

E. ADDITIONAL CONDITIONS.

1. Scavenger Waste. The volume of scavenger waste accepted at the scavenger waste system shall be limited to 500,000 gpd monthly average and 560,000 gpd daily maximum. These limits are based on the available capacity of the scavenger waste pretreatment system on site. The Permittee shall document the daily receipt of scavenger and leachate waste from each hauler in a log book to be kept on site for the Department's review.

PRETREATMENT PROGRAM IMPLEMENTATION REQUIREMENTS-Continued

2. Leachate. The Babylon leachate flow, which is a portion of the total scavenger waste volume, shall be limited to 60,000 gpd. This is based on previous analysis of how much leachate can be accepted without causing treatment problems to the plant.

3. Volume Limits. The permittee may request an increase to the above volume limits by submitting a request for a permit modification with relevant documentation to support the request.

4. Monitoring. The permittee must perform random sampling of scavenger waste received at the plant. The sampling shall include volume and characteristics (see below)

Parameter	**Monitoring Location**	**Type of Sample**	**Monitoring Frequency**
Volume	Rapid Mix	Estimated, by using a suitable flow measurement technique or flow meter.	Continuous
13 Priority Pollutants (EPA Method 200)	Rapid Mix	Composite*	1/week
Purgeables (EPA Method 624)	Rapid Mix	Composite*	1/week

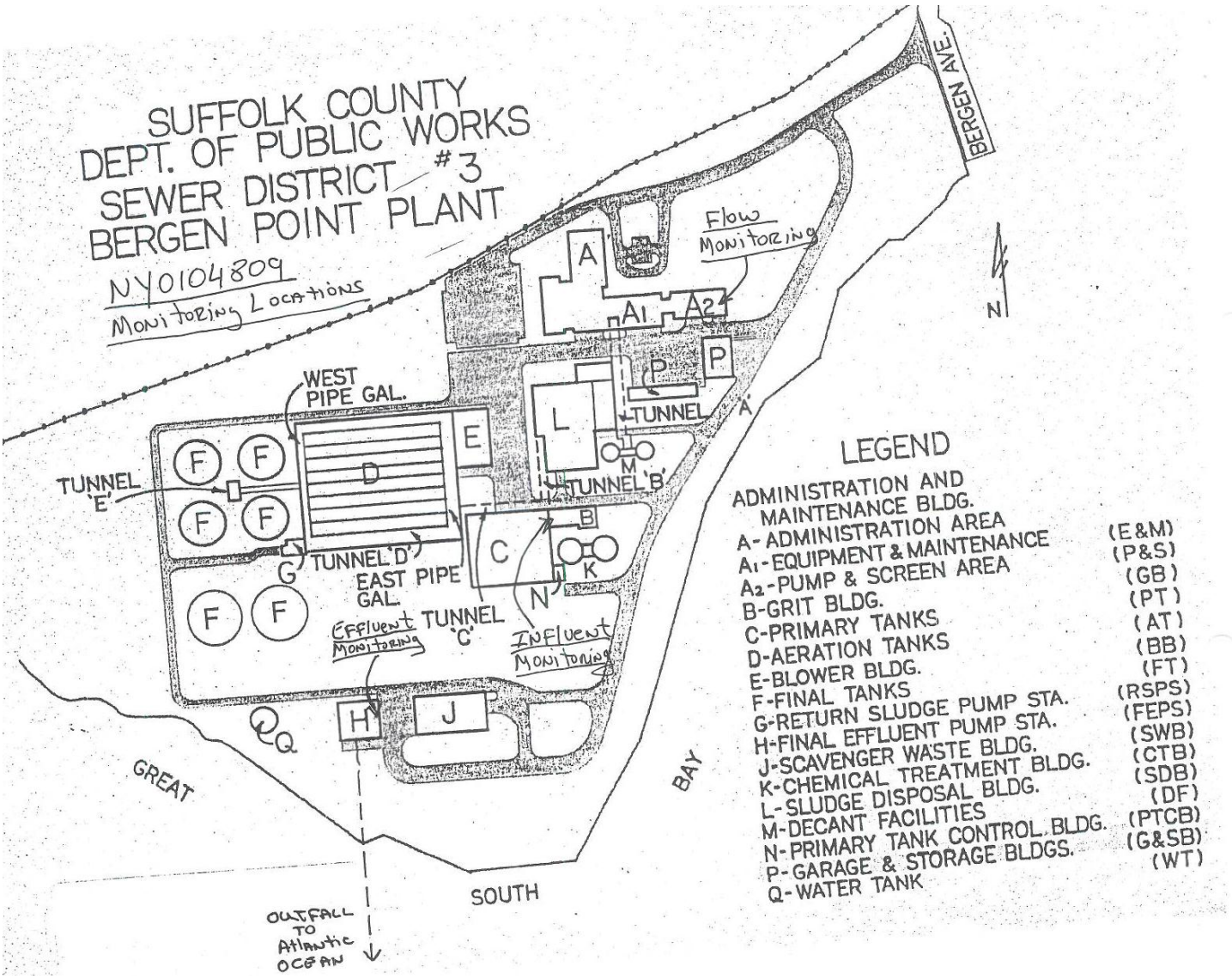
5. Reporting.
A. The permittee must submit an annual scavenger waste report to the Department each April 1st that contains:
1. The volume of scavenger waste received each day (in gallons) as well as a yearly summary;
2. The characteristics of the scavenger wastes that were sampled, including volume, concentration, type of waste, and source.
B. If a new source of scavenger waste requests treatment of wastes at the scavenger waste plant and the waste contains pollutants not already regulated in this permit, the permittee must fill out a New Discharge Form and submit the form to the Department. The Department will determine whether a modification of he permit is necessary before the waste can be accepted. The New Discharge Form is available from the Department.

* Priority pollutants and purgeables are to be sampled and analyzed in accordance with the methods contained in EPA regulations (40 CFR Part 136).

F. BABYLON LANDFILL LEACHATE DIRECT FLOW TO SEWAGE COLLECTION SYSTEM. Upon completion of the Babylon Landfill leachate conveyance system that will be built under Southwest Sewer District Extension Project (County's Project No. RFP 04G134), the landfill leachate can be directly pumped to Town's sewer system if the leachate meets the local limits in the Suffolk County SUO. Prior to start pumping Landfill leachate to sewer system, the permittee shall develop a leachate monitoring program and shall obtain an approval on the monitoring program from the office of the US EPA region- 2.

Monitoring Location

The permittee shall take samples and measurements, to comply with the monitoring requirements specifies in the permit, at the location(s) specified below:



RECORDING, REPORTING AND ADDITIONAL MONITORING REQUIREMENTS

a) The permittee shall also refer to 6 NYCRR Part 750-1.2(a) and 750-2 for additional information concerning monitoring and reporting requirements and conditions.

b) The monitoring information required by this permit shall be summarized, signed and retained for a period of five years from the date of the sampling for subsequent inspection by the Department or its designated agent. **Also, monitoring information required by this permit shall be summarized and reported by submitting;**

[X] (if box is checked) completed and signed Discharge Monitoring Report (DMR) forms for each 1 month reporting period to the locations specified below. Blank forms are available at the Department's Albany office listed below. The first reporting period begins on the effective date of this permit and the reports will be due no later than the 28th day of the month following the end of each reporting period.

[ ] (if box is checked) an annual report to the Regional Water Engineer at the address specified below. The annual report is due by February 1 and must summarize information for January to December of the previous year in a format acceptable to the Department.

[X] (if box is checked) a monthly "Wastewater Facility Operation Report..." (form 92-15-7) to the:

[X] Regional Water Engineer and [X] County Health Department or Environmental Control Agency specified below

Send the DMRs with **original signatures** to:

Department of Environmental Conservation
Division of Water
Bureau of Water Compliance Programs
625 Broadway
Albany, New York 12233-3506
Phone: (518) 402-8177

Send a **copy** of each DMR page to:

Department of Environmental Conservation
Regional Water Engineer
NYSDEC
50 Circle Road, SUNY
Stony Brook, NY 11790
Phone: (631)-444-0420

Send an **additional copy** of each DMR page to:
Walter Hilbert, P.E.
Suffolk County Department of Health
360 Yaphank Avenue
Yaphank, NY 11980

c) Noncompliance with the provisions of this permit shall be reported to the Department as prescribed in 6 NYCRR Part 750-1.2(a) and 750-2.

d) Monitoring must be conducted according to test procedures approved under 40 CFR Part 136, unless other test procedures have been specified in this permit.

e) If the permittee monitors any pollutant more frequently than required by the permit, using test procedures approved under 40 CFR Part 136 or as specified in this permit, the results of this monitoring shall be included in the calculations and recording of the data on the Discharge Monitoring Reports.

f) Calculation for all limitations which require averaging of measurements shall utilize an arithmetic mean unless otherwise specified in this permit.

g) Unless otherwise specified, all information recorded on the Discharge Monitoring Report shall be based upon measurements and sampling carried out during the most recently completed reporting period.

h) Any laboratory test or sample analysis required by this permit for which the State Commissioner of Health issues certificates of approval pursuant to section five hundred two of the Public Health Law shall be conducted by a laboratory which has been issued a certificate of approval. Inquiries regarding laboratory certification should be sent to the Environmental Laboratory Accreditation Program, New York State Health Department Center for Laboratories and Research, Division of Environmental Sciences , The Nelson A. Rockefeller Empire State Plaza, Albany, New York 12201.